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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,126	09/22/2000	Tatsushi Nashida	450101-02198	5640

20999 7590 02/25/2004
FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

TRAN, HAI V

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/601,126

Applicant(s)

NASHIDA ET AL.

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/12/03 have been fully considered but they are not persuasive.

Applicant argues, "Florin fails to teach or suggest displaying information from the plurality of information sources in a plurality of dimensions and levels such that a substantial portion of the necessary information can be seen and navigated on a minimum number of screens in such a way as to enable relatively easy navigation through the plurality of programs to make programming decisions and selections."

In response, the Examiner cites Florin with menu screen arranged to display two-dimensional icons and levels (plurality of sub-menu; i.e., user select icon 315 of Fig. 28; in which the screen display the second level of sub-menu 360) such that a substantial portion of the necessary information (el. 360 or 300) can be seen and navigated on a minimum number of screens when the user use the remote control to navigate and select the icon selected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2611

1. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Florin et al. (US 5583560).

Regarding claim 1, Florin discloses an information providing apparatus (Fig. 1-2, element 54) for displaying information on a screen (Fig. 6-50), based on information data provided through a plurality of information sources (Fig. 1, elements 50, 56, 57), characterized by comprising:

Means 67 for obtaining index information (television program listing; Col. 2, lines 53-59; Col. 10, lines 61-65+) from a 1st information source 50 of the plurality of information sources;

means 69 for obtaining index information (i.e., listing of all programs recorded on the VCR; Col. 16, lines 40-50) from a 2nd information source (i.e., VCR 56) of the plurality of information sources;

means (TV 58) for displaying a categorized menu on the screen (Fig. 22-35 menu of icons/still images; Col. 3, lines 13-21 and Col. 20, lines 51-65), based on the obtained index information from the 1st and 2nd information (Col. 20, lines 28-31); and

means (Fig. 3, element 63) for obtaining necessary information from the 1st or 2nd information source, in response to selection operation on the menu screen, and for displaying information based on the necessary information (Fig. 33, elements 380, 375 Col. 20, lines 34-50).

Wherein the menu screen is arranged to display the information in a plurality of dimensions (two-dimensional icons) and levels (plurality of sub-menu; i.e., user

select icon 315 of Fig. 28; in which the screen display the second level of sub-menu 360) such that a substantial portion of the necessary information (el. 360 or 300) can be seen and navigated on a minimum number of screens to enable relatively easy programming decisions and selections.

Regarding claim 2, Florin further discloses wherein the necessary information is index information (i.e., EPG program information; Col. 10, lines 61-66 with channel number provided from the service provider 50) for displaying the categorized menu (Col. 15, lines 17-40).

Regarding claim 3, Florin further discloses that the index information from the 1st information source 52 (Fig. 2; television program listing) is obtained through the network 52 of Fig. 1 (Col. 2, lines 53-59 and Col. 10, lines 45-65+).

Regarding claim 4, Florin discloses an information providing method for displaying information on a screen (Fig. 6-50; Summary of the Invention), based on information data provided through a plurality of information sources (Fig. 1, elements 50, 56, 57), is analyzed with respect to apparatus claim 1.

Regarding claim 5, Florin further discloses wherein the necessary information is index information (i.e., EPG program information; Col. 10, lines 61-66 with channel

Art Unit: 2611

number provided from the service provider 50) for displaying the categorized menu (Col. 15, lines 17-40).

Regarding claim 6, Florin further discloses that the index information from the 1st information source 52 (Fig. 2; television program listing) is obtained through the network 52 of Fig. 1 (Col. 2, lines 53-59 and Col. 10, lines 45-65+).

Regarding apparatus claim 7 and method claim 8, Florin further discloses wherein the minimum number of screens is one (Fig. 22-35)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2611

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is 703-308-7372.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HT:ht
February 20th, 2004



VIVEK SRIVASTAVA
PRIMARY EXAMINER